

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GUSTAVO ALDOFO PEREZ,

Plaintiff,

v.

MERRICK GARLAND, et al.,

Defendants.

Case No. 24-cv-06525-SK

ORDER TO SHOW CAUSE

On September 17, 2024, Plaintiff Gustavo Aldofo Perez, who is proceeding without an attorney, filed a complaint for writ of mandamus against U.S. Attorney General Merrick Garland, Secretary of the Department of Homeland Security Alejandro Mayorkas, and United States Citizenship and Immigration Services Director Ur Mendoza Jaddou. (Dkt. No. 1.) Since then, there has been no activity on the docket, including proof of service.

Under the Federal Rules of Civil Procedure, there is a time limit for effectuating service of a complaint. Fed. R. Civ. P. 4(m). Specifically, “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” *Id.* However, if a “plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” *Id.*

Given that Plaintiff is proceeding without an attorney, the Court has determined to issue an Order to Show Cause before issuing a *sua sponte* order of reassignment with a recommendation of dismissal. Accordingly, Plaintiff is HEREBY ORDERED to Show Cause in writing by no later than January 23, 2025, why this case should not be dismissed for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b). Plaintiff should discuss any attempts he has made in effectuating service and whether he requires more time.

1 The Court also takes this time to ADVISE Plaintiff that the District Court has produced a
2 guide for *pro se* litigants called Representing Yourself in Federal Court: A Handbook for Pro Se
3 Litigants, which provides instructions on how to proceed at every stage of your case, including
4 discovery, motions, and trial. It is available electronically online (<https://perma.cc/ANQ4-N2ZT>)
5 or in hard copy free of charge from the Clerk's Office. The Court additionally has a website with
6 resources for *pro se* litigants (<https://perma.cc/6NL7-U9U7>). The Court further advises Plaintiff
7 that he also may wish to seek assistance from the Legal Help Center. Plaintiff may call the Legal
8 Help Center at 415-782-8982 or email fedpro@sfbar.org for a free appointment with an attorney
9 who may be able to provide basic legal help, but not legal representation.

10 **IT IS SO ORDERED.**

11 Dated: January 2, 2025

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14 SALLIE KIM
15 United States Magistrate Judge
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